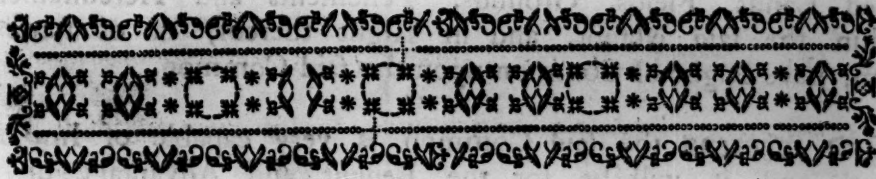


K. Great Brit. George III

[1]




6

AN *Cap. 68*

A C T

F O R

*Dividing and inclosing Sheriffhales Common,
in the County of Stafford.*

 **W**HEREAS there is within the Manor of *Sheriff*-Preamble.
hales, in the County of *Stafford*, a Piece of Waste
Ground, called *Sheriffhales Common*, containing by
Estimation about Six hundred Acres.

And whereas the Right honourable *Granville Leveson*, Earl
Gower, is Lord of the said Manor, and as such is seised of and
intitled to the Soil, and Inheritance, and Royalties of the said
Common.

A

And

And whereas the said Earl Gower, and Sir Henry Bridgeman, Baronet; and some other Persons, are seised of the several inclosed Lands, Fields, Grounds, Tenements and Hereditaments, within the said Manor, and in Right thereof, or of some of them, have Right of Common upon the said Common.

And whereas the said Common is very capable of Improvement, and it will be for the Benefit and Advantage of the several Persons interested therein, to have the same divided, and specific Allotments thereof made to the said several Persons, according to their respective Rights and Interests, but such Division and Allotments cannot be effectually established without the Aid of Parliament:

May it therefore please your MAJESTY,

Commission-
ers.

That it may be Enacted, and be it Enacted by the KING's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Common or Waste Ground, called *Sheriffbales Common*, shall on or before the Twenty-ninth Day of *September* next, or so soon after as conveniently may be, be divided, set out, and allotted by *Richard Hill*, of *Farley*, in the County of *Stafford*, *John Hurd*, of *Hatton*, in the County of *Salop*, and *Francis Wedge*, of *Aqualate Lodge*, in the said County of *Stafford*, Gentlemen, and their Successors, to be chosen in Manner herein-after directed, and who are hereby appointed Commissioners for that Purpose, and the said Commissioners, or any Two of them, are hereby authorized and required to divide, set out, allot and assign the same, in such Manner as they shall think proper, subject to the Rules, Orders and Directions herein-after mentioned.

And for the more just and regular Division and Allotment of the said Common, Be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Two of them, shall, on or before the Twenty-fourth Day of *June*, One thousand Seven hundred and Seventy-one, or so soon after as conveniently may be, cause a true and perfect Survey and Admeasurement to be made of all the antient inclosed Lands, Fields and Grounds within the said Manor, and also of the said Common; and such Survey and Admeasurement shall be reduced into Writing, and verified upon Oath by the Person or Persons making

making the same, which Oath the said Commissioners, or any One of them, are and is hereby impowered and required to administer, and shall specify the Number of Acres, Roods and Perches contained in such Lands, Fields and Grounds belonging to each Proprietor thereof, and Persons interested therein; and also the Quantity of Land contained in such Common at the Time of making such Survey; which Survey and Admeasurement shall, so soon as conveniently may be after the same shall be compleated, be delivered to the said Commissioners, or any Two of them, to be by them kept for the Purposes of this Act; and the said Commissioners, or any Two of them, shall, and they have hereby full Power and Authority, as soon as conveniently may be, after the said Survey shall have been laid before them, to assign, set out and allot the said Common (after deducting the Land to be set out as and for the Roads and Ways and Quarries as herein-after directed) in Manner following, that is to say, They shall set out, allot and appoint unto and for the said Earl Gower, as a Compensation for his Right and Interest in and to the Soil of the said Common, and his Consent to the Division and Inclosure of the same, One full Sixteenth Part, Quantity and Quality considered, of the Remainder of the said Common, after allowing for Roads, Ways and Quarries as aforesaid; and the said Commissioners, or any Two of them, shall then set out, allot and appoint, apportion and divide the then Residue of the said Common unto and amongst the said Earl Gower, Sir Henry Bridgeman, and the several other Owners and Proprietors of inclosed Lands, Fields, Grounds, Tenements and Hereditaments within the said Manor, in Proportion and according to their several and respective Rights and Interests in the said Common (Quantity, Quality and Situation of the Land so to be allotted, and the Contiguity thereof to the Dwelling-houses, and other Conveniencies of the said Proprietors to be considered) in lieu of, and as a full Recompense and Satisfaction for all the Rights and Interests of the said several Owners and Proprietors respectively in, upon, or in respect of the said Common, and thereupon all Right of Common shall cease and be for ever extinguished.

Provided always, and be it further Enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, in any ways to prejudice, lessen or defeat the Right, Title or Interest of any Person or Persons of, in, or to any Tythes or Tenths, or to any *Easter* Dues, Mortuaries or Surplice Fees, or to any other Ecclesiastical Dues whatsoever, arising, growing or payable within or out of the said Manor, or the said Common; but that the same and every of them, and every Part thereof, shall

Nothing to
prejudice the
Right of
Tythes, &c.

shall continue, remain, and be due and payable in the same Manner as the same was or were before the passing of this Act, or could or might have been had, taken, collected or received, in case this Act had not been made.

Commissioners to hear and determine Differences.

And be it further Enacted by the Authority aforesaid, That if any Dispute shall arise between the Parties interested or any of them, in the said intended Division and Allotments, concerning their respective Shares and Interests in the said Common, or touching their respective Shares and Proportions which they or any of them ought to have of and in the said intended Division and Allotments, it shall and may be lawful to and for the said Commissioners, or any Two of them, and they are hereby authorized and required, by Examination of Witnesses, upon Oath, (which Oath the said Commissioners, or any Two of them, are hereby empowered to administer) and by other proper and sufficient Inquiry, Evidence and Satisfaction, to hear and finally determine the same, and such Determination shall be binding and conclusive upon all Parties.

Exchanges may be made.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for all or any of the Owners or Proprietors of Lands, Grounds and Hereditaments lying within the said Manor, his, her or their Guardian or Guardians, Husband or Husbands, Trustee or Trustees, or Person or Persons acting as such Guardian or Guardians, Trustee or Trustees, to exchange all or any of his, her or their Allotments to be made by virtue of this Act, and also any other of his, her or their Lands or Grounds, Messuages, Tenements or Inclosures lying within the said Manor, for any other Lands, Grounds, Messuages, Tenements or Inclosures lying within the said Manor, so as all and every such Exchange and Exchanges be made by and with the Consent and Approbation of the said Commissioners, or any Two of them, and be ascertained and declared in the Award herein directed to be made; and that all and every Exchange and Exchanges so to be made as aforesaid, shall be good, valid and effectual in the Law to all Intents and Purposes whatsoever, notwithstanding the Infancy, Coverture, and Disability of the Party or Parties in whose Behalf such Exchanges shall be made, and also notwithstanding any Will or Settlement, or other Incumbrance heretofore made affecting the same; and that the Lands, Grounds, Messuages, Tenements or Inclosures, or other Lands or Grounds which shall be so exchanged, shall be subject to the same Uses, Wills, Settlements, or other Incumbrances, as the same Premises for which they shall be exchanged as aforesaid,

was

was or were subject and liable to immediately before the passing of this Act.

Provided always, That nothing in this Act contained shall be construed to revoke, make void, alter, or annul any Deed, Will, or Settlement, or prejudice any Person having or claiming any Jointure, Dower, Portion, Debt, or Incumbrance, out of, upon, or affecting any of the Land intended to be divided and inclosed, or any Messuages, Tenements, or Hereditaments, to be exchanged in Pursuance of this Act.

Act not to
prejudice any
Will, Settle-
ment, &c.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Two of them, shall, and they are hereby required to ascertain, set out, and appoint publick Highways, and private Roads and Ways, and also all such Ditches, Fences, Walls, Banks, Drains, Bridges, Gates, and Stiles, as they shall think convenient, in, upon, through, and over the new Inclosures and Allotments to be made by virtue of this Act, with the Assizes and Breadths thereof, so as such publick Highways shall be and remain Sixty Feet between the Fences, and the said publick Highways and Roads, shall, at all Times thereafter, be repaired by such Persons, and in such Manner, as the other publick Highways, within the said Manor, ought to have been repaired before the passing of this Act; and it shall not be lawful for any Person or Persons, after such Roads and Ways shall be so set out and appointed, to use any other Roads or Ways, either publick or private, through or over the said new Inclosures, on Foot, or with Horses, Cattle, or Carriages; and that every Proprietor, to whom any Allotment shall be made, of any or Part of any former Road or Way, which, in Consequence of this Act, shall no longer continue a Road or Way, shall have the same Right and Title to, and stand seized of the same former Road or Way, or any Part thereof, in the same Estate, as such Proprietor shall have in the other Parts of any Allotment which shall, by virtue of this Act, be assigned to such Proprietor.

For setting
out public
and private
Roads.

And be it further Enacted by the Authority aforesaid, That all the private Ways, Hedges, Ditches, Fences, Walls, Drains, Banks, Bridges, Gates, and Stiles, so to be set out and appointed as aforesaid, shall be made, and at all times maintained, repaired, and cleansed by such Person and Persons, and in such Manner, as the said Commissioners, or any Two of them, shall, by

Fences, &c.
how to be
made and re-
paired.

their Award or Instrument herein after mentioned, order, direct, and appoint.

Allotment
for getting
Stone.

Provided always, and be it further **Enacted** by the Authority aforesaid, That the said Commissioners, or any Two of them, shall assign, set out, and allot unto the Surveyors of the Highways within the said Manor, such Parcel or Parcels of the said Common, as they, the said Commissioners, or any Two of them, shall think most proper and convenient, for the getting of Stone and other Materials for the Repairs of the Highways within the said Manor, and shall also order and direct in what Manner the Herbage or Produce thereof shall be appropriated.

Commission-
ers to make
an Award.

And, for preventing all Differences and Disputes relating to the said Inclosure and Division, **Be it further Enacted** by the Authority aforesaid, That, as soon as conveniently may be after the Division and Allotments shall have been compleated and finished, the said Commissioners, or any Two of them, shall forthwith form and draw up an Award or Instrument in Writing, which shall contain and expresse the Quantity, in Statute-measure, of Acres, Roods, and Perches, contained in the said Common hereby intended to be inclosed, and the Quantity of each and every Part and Parcel thereof, which shall be assigned and allotted to each of the Parties intituled to and interested therein, with a Description of the Situation, Buttals, and Boundaries of the respective Allotments, and shall also contain proper Orders and Directions for fencing and mounding the said Allotments, and for keeping the said Fences and Mounds in Repair, and for making and laying out proper Roads, Ways, Cuts, Drains, and Passages, in and through the said Premises, and shall also expresse and contain such other Orders, Regulations, and Determinations, as shall, by the said Commissioners, or any Two of them, be thought proper and necessary to be inserted therein, conformable to the Tenor and Purport of this Act; which said Award or Instrument shall be fairly ingrossed or written on Parchment, and signed and sealed by the said Commissioners, or any Two of them, and shall, within Six Calendar Months next after the same shall be signed and sealed, be inrolled with the Clerk of the Peace for the County of *Stafford*, to the End that Recourse may be had to the same by any Person or Persons interested therein, (for the Inspection and Perusal whereof the Sum of One Shilling shall be paid, and no more) and a Copy thereof, or of any Part thereof, signed by the Clerk of the Peace, purporting the same to be a true Copy (for which no more shall

be

be paid than Two-pence *per* Sheet, each Sheet containing Seventy-two Words, shall at all Times be admitted and allowed, in all Courts whatsoever, as legal Evidence; and the several Allotments and Divisions, and all Orders, Directions, Regulations, and Determinations so to be made by the said Commissioners, or any Two of them, in and by such Award or Instrument, shall be binding and conclusive upon all and every the Parties interested in the Lands, Grounds, and Premises which shall be divided and inclosed, or exchanged as aforesaid.

And be it further Enacted by the Authority aforesaid, That the Lands and Grounds which shall be allotted to any Person or Persons, and the Lands, Tenements and Hereditaments, which shall be taken in Exchange by virtue of this Act, in lieu or in respect of any Lands, Grounds, Tenements or Hereditaments, now belonging to such Person or Persons, which before such Allotment or Exchange respectively, shall be Copyhold, shall from and for ever after the executing of the Award of the said Commissioners, herein directed to be made, be deemed to be Copyhold, although the same were before Freehold, and shall be held by and under the same Tenure, Rents, Customs, and Services, as the Copyhold Lands, Grounds, Tenements and Hereditaments, in lieu or in respect whereof such Allotments or Exchanges shall be made, are now held, and that the Lands, Grounds, Tenements and Hereditaments, which shall be allotted to any Person or Persons, or given or awarded in Exchange as aforesaid, in lieu or in respect of any Lands, Grounds, Tenements or Hereditaments, now belonging to such Person or Persons, which are Freehold, shall from and after executing the said Award as aforesaid, be deemed to be Freehold, though the same were before Copyhold, and shall be held by and under the same Rents and Services, as the Freehold Lands, Grounds, Tenements and Hereditaments, in lieu or in respect whereof such Allotments or Exchanges shall be made, are now held.

And be it further Enacted by the Authority aforesaid, That all Persons shall, and they are hereby required to accept their respective Allotments and Shares, of and in the said Common, within the Space of Six Calendar Months next after the Execution of the said Award or Instrument, and Notice thereof given in the Church of *Sheriffhales*, on a *Sunday* immediately after Divine Service, and also in Writing affixed on the Door of the said Church for that Purpose, under the Hands of the said Commissioners, or any Two of them, which Notice the said Commissioners, or any

Lands to be
of same Te-
nure as those
for which
they are al-
lotted or ex-
changed.

Allotments to
be accepted
within a li-
mited Time.

Two of them, are hereby required to cause to be so published and given, and in case any Person or Persons shall neglect or refuse to accept his, her, or their Share or Allotment, Shares or Allotments, within the Time before limited for that Purpose, such Person or Persons shall be totally excluded from having or receiving any Estate or Interest, or Right of Common whatsoever, in, upon, or out of the Lands and Grounds assigned or allotted to any other Person or Persons by virtue of this Act.

Trustees, &c.
may accept
for incapac-
itated Persons.

And be it further Enacted by the Authority aforesaid, That the Husbands, Guardians, Trustees, Committees, or Attornies of any Person or Persons being Infants, Lunaticks, Ideots, or otherwise incapable by Law to accept their Shares or Allotments, shall and are hereby enabled and required to accept thereof, for the Use of such Person or Persons so incapacitated as aforesaid; and every such Acceptance respectively, shall be, and is hereby declared to be valid and effectual in the Law.

But their
Non-accept-
ance not to
prejudice the
Parties.

Provided always, That the Non-claim or Non-acceptance of any Husband, Guardian, Trustee, Committee or Attorney, shall not exclude or prejudice the Claim or Acceptance of any Infant, Ideot, Lunatick, or other Person or Persons under any Disability or Incapacity as aforesaid, who shall claim or accept within Six Calendar Months after such Disability or Incapacity shall be removed, or of any other Person or Persons dying under such Incapacity, who shall claim or accept, within One Year after his, her, or their Right or Interest shall have accrued, or be known to have accrued.

Allotments,
when to be
inclosed.

And be it further Enacted by the Authority aforesaid, That when the said Common shall be divided and allotted as aforesaid, the several Allotments shall within Six Calendar Months, next after the signing and sealing the said Award or Instrument, be inclosed and fenced at the proper Costs and Charges of the respective Persons to whom the same shall be respectively assigned and allotted, in such Manner, as the said Commissioners, or any Two of them, shall in such their Award order and direct, and it shall and may be lawful to and for the respective Persons to whom such Allotments shall be so assigned, from time to time, during the Term of Ten Years from the Execution of the said Award, to set down and place Posts and Rails, or other Fences, on the Outfides of the Ditches, bounding their respective Allotments,

ments, not exceeding Three Feet from such Ditches, for the better Preservation of their Quicksets, in case they shall plant such, and also from time to time, to take and carry away such Potts and Rails, and other Fences, for their own Use.

And be it further Enacted by the Authority aforesaid, That convenient Gaps and Openings shall be left in the Fences of the said Inclosures, for the Space of Twelve Calendar Months next ensuing the Execution of the said Award, for the Passage of Cattle, Carts and Carriages, unless the several Parties interested therein shall agree that the same shall be sooner fenced in, made up and inclosed.

And be it further Enacted by the Authority aforesaid, That the Charges and Expences incident to, and attending the obtaining and passing this Act, and of the said Survey, and of measuring, dividing and allotting the said Common, and of preparing and inrolling the Award or Instrument, and all the Charges and Expences of the said Commissioners, and of the several Persons to be employed by them, either before or after executing the said Award, and all other necessary Charges and Expences in and about the carrying this Act into Execution, shall be borne and defrayed by the Owners and Proprietors of, and Persons interested in the said Common so intended to be divided and inclosed, in proportion to their respective Shares, Interests, and Properties therein (the same to be ascertained by the said Commissioners, or any Two of them) at such Time and Times, and in such Proportion and Proportions, as the said Commissioners, or any Two of them, shall either before or after their executing the said Award, order and direct, Notice thereof in Writing under their Hands, to be affixed on the Door of the Church of *Sheriffhales* aforesaid Twenty-one Days before the Time of such Payment, and if any Person or Persons shall refuse or neglect, within Six Calendar Months next after the signing and sealing of the said Award or Instrument, to inclose and fence the several Parcels of Land or Ground assigned, allotted, and set out to him, her, or them respectively, as aforesaid, in such Manner as the said Commissioners, or any Two of them, shall in such their Award order, direct and appoint, or to pay and defray his, her, or their respective Proportion or Proportions of the Charges and Expences incident to, and attending the obtaining and passing this Act, or of the said Survey, and of measuring, dividing, and allotting the said Common, or of preparing or inrolling the said Award or Instrument, or of the said Commissioners,

Gaps to be left.

Expences of this Act, how to be paid.

missioners, or of any other necessary Expences in, or in relation to the Execution of this Act, then, and in all or any of such Cases, it shall and may be lawful for the said Commissioners, or any Two of them, and they are hereby required to cause such Allotment or Allotments to be inclosed or fenced, and to pay the Charges and Expences thereof, and shall and may by Warrant or Warrants, under their Hands and Seals, cause the Expences thereof, and all other Charges and Expences as aforesaid, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons so refusing or neglecting to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the Costs and Charges of taking and making such Distress and Sale, or otherwise it shall and may be lawful to and for the said Commissioners, or any Two of them, to enter into and upon the Premises so to be allotted to such Person or Persons refusing to pay as aforesaid, and to receive and take the Rents and Profits thereof respectively, until thereby or therewith the Share or Shares, Proportion or Proportions, of the said Costs and Charges so to be directed, awarded, and appointed by the said Commissioners, to be paid by such Person or Persons as aforesaid, and also all Costs, Charges and Expences, occasioned by or attending such Entry upon and Perception of the Rents and Profits of the same Premises, shall respectively be fully paid and satisfied.

For borrow-
ing Money.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Husbands, Guardians, Trustees or Committees, of any the Owners or Proprietors, being under Coverture, Lunaticks, or otherwise incapacitated, Tenants in Tail, or for Life or Lives only, or any of them, by and with the Consent of the said Commissioners, or any Two of them, testified under their Hands and Seals, from time to time, to charge the Lands and Grounds which shall be assigned and allotted to them respectively, by virtue of this Act, with any Sum or Sums of Money for the Purposes aforesaid, not exceeding the Sum of Two Pounds for every Acre of the said Lands and Grounds respectively, and for the securing the Repayment of such Money with Interest, to grant, mortgage, lease or demise the same, or any Part thereof, unto such Person or Persons, as shall advance and lend the same respectively, his, her, and their respective Executors, Administrators and Assigns, for any Term or Number of Years, so as such Grant, Charge, Mortgage, Lease or Demise, be made with a Proviso or Condition to cease and be void, or with an express Trust to be surrendered, when such Money

Money, with the Interest thereof, shall be fully paid, and so as in every such Grant and Demise which shall be made as aforesaid, there be contained a Covenant to pay and keep down the Interest of the said Money thereby respectively secured, and it is hereby declared that no Person intitled in Remainder or Reversion, shall be liable upon his or her becoming possessed of any of the Premises, to the Payment of any further or larger Arrear of Interest than for One Year preceding the Time that the Title to such Possession shall have commenced.

And be it further Enacted, That every such Grant, Mortgage, Lease or Demise, so to be made and confirmed as aforesaid, shall be good, valid, and effectual in the Law, for the Purposes thereby intended, notwithstanding the Want of Title in the said Owner or Owners, Husbands, Guardians, Trustees, or Committees, or in the said Tenants in Tail, or for Life or Lives, or any Settlement, Will, Trust, Use, Remainder, Limitation, or other Impediment or Incumbrance of or concerning the same Lands or Grounds, or any Part or Parcel thereof then in being, or capable of taking Effect to the contrary. That Mortgages, &c. shall be valid

And be it further Enacted by the Authority aforesaid, That all and every Person and Persons to whom any Grant, Mortgage, Lease, or Demise shall be made, by virtue of this Act, or who shall be intitled to the Money thereby secured, may, from time to time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Presence of Two or more credible Witnesses, assign or transfer the same Security or Securities, or the principal Money and Interest thereby secured, and all Benefit and Advantage thereof, and all his, her, and their Right, Title, and Interest in and to the same, unto any Person or Persons whomsoever, who may, in like Manner, assign the same, *toties quoties*; and such Mortgagee or Mortgagees, Assignee or Assignees, his, her, or their Heirs, Executors and Administrators; and all Persons claiming under them, or any of them, shall and may use, take, and pursue all such lawful Methods, Courses, and Expedients in Law or Equity, for recovering and obtaining Possession of the Premises so to be mortgaged, demised, or assigned as aforesaid, in case of Non-payment of the Principal Money and Interest to be thereby secured, or any Part thereof, as is or are used, taken and pursued, in all cases of the like Nature. Mortgages may be transferred.

And

Commission-
ers to give
Notice of
their Meet-
ings.

And be it further Enacted, That the said Commissioners, or any Two of them, shall, and they are hereby required to give Notice, in the Church of *Sheriffhales* aforesaid, upon some *Sunday*, immediately after divine Service, of the Time and Place of the first and every subsequent Meeting of the said Commissioners for the Execution of this Act, at least Ten Days before any such Meeting shall be held, (Meetings by adjournment only excepted) and any One of the said Commissioners, in Default of Two Commissioners meeting pursuant to such Notice as aforesaid, shall and may adjourn the Meeting from time to time.

For electing
Commission-
ers.

And be it further Enacted by the Authority aforesaid, That as often as any of the said Commissioners, appointed or to be elected by virtue of this Act, shall die, or refuse to act, the surviving Commissioner or Commissioners shall, within Thirty Days next after such Death or Refusal, or so soon after as Occasion shall require, by Writing under his or their Hand and Seal, or Hands and Seals, appoint a Commissioner, not interested in the said intended Inclosure, instead of each Commissioner dying, or refusing to act as aforesaid; and every such Commissioner, so appointed, shall have the like Power and Authorities as the Commissioner he shall succeed was vested with, provided that Notice be given in the Church of *Sheriffhales* aforesaid, of the Time and Place of Meeting to chuse such Commissioner or Commissioners, at least Ten Days before every such Meeting.

Commission-
ers Oath.

And be it further Enacted, That no Person shall be capable of acting as a Commissioner, in the Execution of the Powers given by this Act, (unless it be the Power given of administering Oaths) until he shall have taken an Oath to the following Effect:

" I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Skill and Judgement,
" hear and determine all such Matters and Things as shall
" be brought before me as a Commissioner by virtue of
" an Act, For dividing and inclosing the Common within
" the Manor of *Sheriffhales*, in the County of *Stafford*.
" So help me God."

Which Oath it shall and may be lawful for any One of the said Commissioners to administer to any other Commissioner; and the said Oath, so taken and subscribed by each Commissioner, shall be inrolled

inrolled at the same Time and Place as the Award directed to be made by the said Commissioners, is in and by this Act directed to be inrolled.

And be it further Enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, then, and in every such Case (except in such Case where the Orders and Directions of the said Commissioners are directed to be final) he, she or they may appeal to the General Quarter Sessions of the Peace which shall be held for the County of *Stafford*, within Six Calendar Months next after the Cause of Complaint shall have arisen; and the Justices in their said Quarter Sessions are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein, and award such Costs, as to them in their Discretion shall seem reasonable, and by their Order or Warrant to levy the Costs which shall be so awarded by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale which Determination of the said Justices shall be final and conclusive to all Parties concerned, and shall not be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster* or elsewhere.

Provided always, and be it further Enacted and Declared, That nothing in this Act contained shall prejudice, lessen or defeat the Right, Title or Interest of the said Earl *Gower*, as Lord of the said Manor of *Sheriffhales*, of, in and to the Seigniories or Royalties incident to or belonging to such Manor; but that the said Earl, and all and every other Person or Persons claiming under him as Lord of the said Manor, shall and may from time to time, and at all Times hereafter, hold and enjoy all Rents, Services, Courts, Perquisites and Profits of Courts, and all other Royalties and Privileges to the said Manor, or to the Lord or Lords thereof, or any claiming under him or them, incident or appendant, belonging or appertaining (other than and except such Right of Common and Right of Soil as can or may be claimed by or belonging to him or them respectively, as Lord or Lords in, over or upon the Common so to be divided and inclosed as aforesaid) in as full, ample and beneficial Manner to all Intents and Purposes, as they might have held

or enjoyed the same before the passing of this Act, or in case the same had never been made; reserving nevertheless to the Owners or Occupiers of the said several Allotments, full Right and Power to dig for and get within their respective Lands so to be allotted, Marl, Stone, Sand and Gravel.

General Saving.

Saving always to the KING's most Excellent Majesty, his Heirs and Successors, and to all and every Person and Persons, Bodies politic and corporate, his, her, and their respective Heirs, Successors, Executors and Administrators, (other than and except such Person or Persons to whom any Allotment or Allotments shall be made, and all other Persons whose Interests are meant and intended to be barred and destroyed by this Act) all such Estate, Right, Title, Interest, Claim and Demand, as they, every, or any of them had or enjoyed of, in, to, or out of the said Common, so directed to be inclosed and allotted as aforesaid, before the passing of this Act, or could or might have had or enjoyed, in case the same had not been made.

A C T

F O R

*Dividing and inclosing Sheriff-
hales Common, in the County
of Stafford. (1771.)*